

CLASSIFICATION OFFICE DECISION

Title of publication: received_1497609243902235.jpeg

Other known title(s): Not stated

OFLC ref: 1700034.000

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: English, Japanese

Applicant: Philip Ragg

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 13 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 23 February 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 23 February 2017

Summary of reasons for decision:

The publication is computer image file depicting a man in an embarrassing situation with a dog. Consideration was given to whether the image depicts an act of bestiality. Publications that promote or support, or tend to promote or support, bestiality are deemed to be objectionable under s3(2)(e) of the Films, Videos, and Publications Classification Act 1993. In this case it was found that the image did not depict bestiality, so it is not deemed to be objectionable. Nonetheless, the image is confusing and there are elements that are likely to have a negative impact on the socialisation and development of impressionable children. The likelihood of injury to the public good has been balanced against the right to freedom of expression as set out in the New Zealand Bill of Rights Act 1990. A restriction to those aged 13 or over is sufficient to prevent injury to the public good, and is therefore a reasonable limitation on that right.